IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 852 (SS) of 2007

Smt. Nimmi Bisht,
W/o Sri Bharat Singh Bisht,
Aged about 33 years, presently
Posted as Assistant Teacher,
Junior High School,
Darmiya, Block – Takula,
District – Almora. **……Petitioner.**

Versus

1. State of Uttarakhand through Secretary, Education, Dehradun, District – Dehradun.
2. Director of Education, (School Education) Uttarakhand, Mayur Vihar, Sahstradhara Road, Dehradun.
3. Additional Director (Eduction), Kumaon Mandal, Nainital.
4. District Education Officer, Almora, District – Almora.
5. Additional District Education Officer (Basic), Almora, District – Almora.

……Respondents.

Hon'ble M.M. Ghildiyal, J

Heard Sri Lalit Sharma, learned counsel for the petitioner and Sri N. P. Shah, learned standing counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has challenged order dated 11.06.2007 passed by respondent no. 5 by which petitioner has been transferred from Junior High School, Darmiya, Takula to Junior High School, Basarkhet, Chaukhutiya on the ground of "inconsistent subject".

Petitioner has challenged this order transfer order on the ground that petitioner was appointed in the year 1997 and was transferred to Darmiya in the year 1998. Vide order dated

13.09.2006, petitioner was promoted to the post of Assistant Teacher, Junior High School and was transferred at Lakhnari. The said order was later on amended vide order dated 17.03.2007 and petitioner was posted at Junior High School, Darmiya where she has joined her duty on 20.03.2007. Though some of the teachers are staying in the Institution since 1993, 1996 and petitioner, who has joined her duties on 20.03.2007, has again been transferred by the respondents.

Petitioner has already moved representation dated 22.06.2007 for redressal of her grievance before Additional District Education Officer (Basic) Almora (Annexure no. 4 to the writ petition).

In these circumstances, I deem it fit and proper to direct the petitioner to submit the copy of this order before Additional District Education Officer (Basic), Almora within a period of two weeks from today and Additional District Education Officer (Basic), Almora is directed to decide the aforesaid representation of the petitioner within a period of two weeks from the date of production of certified copy of this order. Till 15.08.2007 to till the decision is taken by Additional District Education Officer (Basic), Almora, on the representation of the petitioner, whichever is earlier, petitioner shall not be relieved from the present place of posting.

With this direction, writ petition as well as stay application no. nil of 2007 is disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 13, 2007
SKS